

STATE OF DELAWARE
PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF WILMINGTON,	:	
	:	
Charging Party,	:	
	:	
v.	:	<u>U.L.P. No. 98-10-246</u>
	:	
FRATERNAL ORDER OF POLICE, LODGE 1,	:	
	:	
Respondent.	:	

ORDER OF DISMISSAL

1. The City of Wilmington (“City”) is a public employer within the meaning of §1602(l) of Police Officers and Firefighters Employment Relations Act, 19 Del.C. Chapter 16 (1986, “POFERA”).

2. Fraternal Order of Police, Lodge 1, is an employee organization within the meaning of 19 Del.C. §1602(f). FOP Lodge 1 is the exclusive bargaining representative, within the meaning of 19 Del.C. §1602(g), of all City of Wilmington Police Officers at or below the rank of Lieutenant.

3. On October 30, 1998, the City of Wilmington filed an unfair labor practice charge alleging FOP Lodge 1 had violated 19 Del.C. §1607(b)(3), and (b)(6), by “using coercion and threats of economic and other sanctions to hinder certain of its members in the performance of their legal work.”

4. The PERB Hearing Officer issued a Probable Cause Determination on December 30, 1998. A hearing was convened on May 4, June 21, and June 22, 1999.

5. On June 5, 2000, the parties executed a collective bargaining agreement, under which the Charging Party agreed to withdraw this Charge, without prejudice.

WHEREFORE, this Charge is hereby dismissed without prejudice.

IT IS SO ORDERED.

/s/ Deborah L. Murray-Sheppard
DEBORAH L. MURRAY-SHEPPARD
Principal Assistant/ Hearing Officer
Del. Public Employment Relations Bd.

Issued: 5 June 2000